

FORM PTO-1449 (modified) To: U.S. Department of Commerce Patent and Trademark Office				Attorney Docket No. <div style="border: 1px solid black; width: 100px; height: 30px; margin: 5px;"></div>		Client Ref. <div style="border: 1px solid black; width: 100px; height: 30px; margin: 5px; text-align: center; font-size: 1.2em;">10/524235</div>			
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				056291-5200		100810-1P US			
				Applicant: John HORBURY et al.					
				Appln. No.: Not Yet Assigned					
				Filing Date: Concurrently					
Date: February 10, 2005				Examiner: Unassigned		Group Art Unit: Unassigned			

U.S. PATENT DOCUMENTS						
Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR					
	BR					
	CR					
	DR					
	ER					
	FR					

FOREIGN PATENT DOCUMENTS						English Abstract		Translation Readily Available	
	Document Number	Date MM/YYYY	Country	Inventor/Applicant Name		Enclosed	No	Enclosed	No
VB	GR 0521471 A	01/1993	EP	Shionogi & Co.					
I	HR 00/49014 A	08/2000	WO	Diorazio et al.					
I	IR 01/60804 A	08/2001	WO	Taylor					
I	JR 00/42024 A	07/2000	WO	Taylor					
VB	KR 03/016317 A	02/2003	WO	Niddam-Hildesheim et al.					
	LR								
	MR								
	NR								
	OR								
	PR								

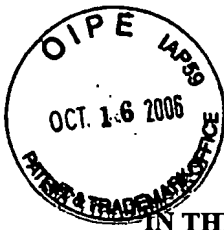
  

OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)					
	QR				
	RR				
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	XR				

Examiner: VB Balasubramaniam	Date Considered: 9/30/07
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\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



JFW

PATENT  
Attorney Docket No. 056291-5200

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **John HORBURY et al.** ) Confirmation No.: 8673  
Application No.: 10/524,235 ) Group Art Unit: 1754  
Filed: August 18, 2005 ) Examiner: Unassigned  
For: **PROCESS FOR PREPARING THE** )  
**CALCIUM SALT OF ROSUVASTATIN** ) Date: October 16, 2006

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

**Citation of Technically Related U.S. Patent Applications**

The Examiner's attention is directed to the following technically related U.S. patents or applications of Applicants' assignee:

Inventor	U.S. Serial No. Filing Date	U.S. Patent No. Issue Date	PCT Publication No. PCT Publication Date
Nigel P. Taylor et al.	09/913,539 December 7, 2001	6,844,437 January 18, 2005	WO 00/49014 August 24, 2000
Andrew J. Blacker et al.	10/275,092 November 1, 2002		WO 01/85975 November 15, 2001
Jacob H. Kooistra et al.	10/333,351 January 17, 2003	6,870,059 March 22, 2005	WO 02/06266 January 24, 2002
Akio Matsushita et al.	10/483,430 January 12, 2004		WO 03/006439 January 23, 2003
Robert P. Hof	10/501,250 July 8, 2004		WO 03/059901 July 24, 2003
Hermanus C. Bakel Van et al.	10/518,164 July 25, 2005		WO 03/106447 December 24, 2003
Lee Newton et al.	10/537,723 June 7, 2005		WO 2004/054986 July 1, 2004
Jeffrey N. Crabb et al.	10/558,390 November 29, 2005		WO 2004/108691 December 16, 2004

VB {

Inventor	U.S. Serial No. Filing Date	U.S. Patent No. Issue Date	PCT Publication No. PCT Publication Date
Rebecca J. Booth et al.	10/571,254 March 9, 2006		WO 2005/023779 March 17, 2005
Simon N. Black et al.	10/572,635 March 17, 2006		WO 2005/028450 March 31, 2005
Tetsuo Okada et al.	10/576,774 April 21, 2006		WO 2005/042522 May 12, 2005
Nigel P. Taylor et al	10/610,700 July 2, 2003	6,784,171 August 31, 2004	WO 00/49014 August 24, 2000
Jacob H. Kooistra et al.	11/053,090 February 7, 2005		WO 02/06266 January 24, 2002
Andrew J. Blacker et al.	11/412,047 April 27, 2006		WO 01/85975 November 15, 2001

A copy of the specification and claims for each application listed in the above table, in the form of the published PCT application from which such application was filed is being filed herewith.

Consideration of each listed application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants request the Examiner to consider this Information Disclosure Statement and the documents listed on the attached Form PTO-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced Application. Accordingly, Applicants do not believe a fee is due for filing this Information Disclosure Statement.

With the exception of U.S. Patents and Publications, copies of the listed documents are attached. Documents 12, 17, 18, 21 and 32 listed on the accompanying Form PTO-1449 were previously cited in the International Search Report dated December 2, 2003 and on the Form PTO-1449 filed with this application on February 10, 2005 but without copies of the documents. Applicants respectfully request that the Examiner initial and return the Form PTO-1449, indicating that the information has been considered and made of record herein.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." Applicants reserve the right to take appropriate action to establish the patentability of the disclosed

invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a

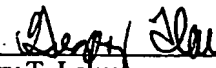
**CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R.

§1.136(a)(3).

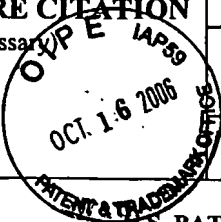
Respectfully Submitted,  
**Morgan Lewis & Bockius LLP**

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<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)				Attorney Docket No. <b>056291-5200</b>		Application No. <b>10/524,235</b>	
PTO Form 1449 October 16, 2006				Applicants: <b>John HORBURY et al.</b>			
				Filing Date: <b>August 18, 2005</b>		Group Art Unit: <b>1754</b>	



U.S. PATENT DOCUMENTS							
Initial	Document No.	Date	Name	Class	Sub-Class	Filing Date	
✓	1.	US 20030114685	June 19, 2003	Niddam-Hildesheim et al.			
	2.	US 20050124639	June 9, 2005	Joshi et al.			
	3.	US 20050209259	September 22, 2005	Huang			
	4.	US 20060004200	January 5, 2006	Gudipati et al.			
	5.	US 5,026,698	June 25, 1991	Fujikawa et al.			
	6.	US 6,278,001	August 21, 2001	Solladie et al.			
	7.	US 6,784,171	August 31, 2004	Taylor et al.			
	8.	US 6,844,437	January 18, 2005	Taylor et al.			
	9.	US 6,870,059	March 22, 2005	Kooistra et al.			
✓	10.	US 6,875,867	April 5, 2005	Brodfehrer et al.			

FOREIGN PATENT DOCUMENTS							
Initial	Document No.	Date	Country	Class	Sub-Class	Translation	
✓	11.	CA 2,545,316	May 26, 2005	Canada			
	12.	EP 0521471	October 25, 2000	EPO			
	13.	WO 93/08823	May 13, 1993	WIPO			
	14.	WO 97/03959	February 6, 1997	WIPO			
	15.	WO 97/19917	June 5, 1997	WIPO			US 6,278,001
	16.	WO 97/49681	December 31, 1997	WIPO			
	17.	WO 00/42024	July 20, 2000	WIPO			
	18.	WO 00/49014	August 24, 2000	WIPO			
	19.	WO 01/36384	May 25, 2001	WIPO			
	20.	WO 01/54669	August 2, 2001	WIPO			
	21.	WO 01/60804	August 23, 2001	WIPO			
	22.	WO 01/72706	October 4, 2001	WIPO			
	23.	WO 01/85975	November 15, 2001	WIPO			
	24.	WO 02/06266	January 24, 2002	WIPO			
	25.	WO 02/30415	April 18, 2002	WIPO			
	26.	WO 02/43667	June 6, 2002	WIPO			
	27.	WO 02/43732	June 6, 2002	WIPO			
	28.	WO 02/072566	September 19, 2002	WIPO			
	29.	WO 02/083637	October 24, 2002	WIPO			
	30.	WO 02/098854	December 12, 2002	WIPO			
	31.	WO 03/006439	January 23, 2003	WIPO			
	32.	WO 03/016317	February 27, 2003	WIPO			
	33.	WO 03/059901	July 24, 2003	WIPO			
	34.	WO 03/087112	October 23, 2003	WIPO			
	35.	WO 03/097614	November 27, 2003	WIPO			
	36.	WO 03/106447	December 24, 2003	WIPO			
✓	37.	WO 2004/052867	June 24, 2004	WIPO			
✓	38.	WO 2004/054986	July 1, 2004	WIPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							

Examiner: <u>V. Balasubramanian</u>	Date Considered: <u>9/30/07</u>
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)				Attorney Docket No. <b>056291-5200</b>		Application No. <b>10/524,235</b>	
PTO Form 1449 October 16, 2006				Applicants: <b>John HORBURY et al.</b>			
Filing Date: <b>August 18, 2005</b>				Group Art Unit: <b>1754</b>			

U.S. PATENT DOCUMENTS							
Initial	Document No.	Date	Name	Class	Sub-Class	Filing Date	

FOREIGN PATENT DOCUMENTS							
Initial	Document No.	Date	Country	Class	Sub-Class	Translation	
V	39.	WO 2004/089895	October 21, 2004	WIPO			
	40.	WO 2004/103977	December 2, 2004	WIPO			
	41.	WO 2004/108691	December 16, 2004	WIPO			
	42.	WO 2005/005384	January 20, 2005	WIPO			
	43.	WO 2005/023778	March 17, 2005	WIPO			
	44.	WO 2005/023779	March 17, 2005	WIPO			
	45.	WO 2005/028450	March 31, 2005	WIPO			
	46.	WO 2005/030215	April 7, 2005	WIPO			
	47.	WO 2005/040134	May 6, 2005	WIPO			
	48.	WO 2005/042522	May 12, 2005	WIPO			
	49.	WO 2005/047276	May 26, 2005	WIPO		CA 2,545,316	
	50.	WO 2005/051921	June 9, 2005	WIPO			
	51.	WO 2005/054207	June 16, 2005	WIPO			
	52.	WO 2005/056534	June 23, 2005	WIPO			
	53.	WO 2005/063728	July 14, 2005	WIPO			
	54.	WO 2005/068435	July 28, 2005	WIPO			
	55.	WO 2005/077916	August 25, 2005	WIPO			
	56.	WO 2005/077917	August 25, 2005	WIPO			
	57.	WO 2005/092867	October 6, 2005	WIPO			
	58.	WO 2006/017357	February 16, 2006	WIPO			
	59.	WO 2006/035277	April 6, 2006	WIPO			
M	60.	WO 2006/067456	June 29, 2006	WIPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)	
M	61. Kaneko et al. "Preparation of optically active 5,6-epoxyhexanoic acid esters as materials for physiologically active substances" Chemical Abstracts + Indexes, American Chemical Society, Columbus, US 118(11):832 (1993)
	62. Menges et al. "Oxidative Degradation of $\gamma$ -Butyrolactons into 1,3-Diols via a Criegee Rearrangement of Peroxosulfonates. An Enantioselective Synthesis of Compactin Lactone and its Diastereomer" Synlett 12:901-905 (1993)
	63. Presentation given at the 20th International Congress of Heterocyclic Chemistry in Palermo, 1st-5th August 2005
	64. Presentation given at the Gordon Conference on Heterocyclic Compounds, Salve Regina University, Newport, Rhode Island, 4th-9th July 2004
	65. Sakaki et al. "Lipase-catalyzed asymmetric synthesis of 6-(3-chloro-2-hydroxypropyl)-1,3-dioxin-4-ones and their conversion to chiral 5,6-epoxyhexanoates" Tetrahedron: Asymmetry 2(5):343-346 (1991)
	66. Shao et al. "Asymmetric hydrogenation of 3,5-Dioxoesters catalyzed by Ru-binap complex: A short step asymmetric synthesis of 6-substituted 5,6-dihydro-2-pyrones" Tetrahedron 49(10):1997-2010 (1993)
M	67. Watanabe et al. "Synthesis and Biological Activity of Methanesulfonamide Pyrimidine- and N-Methanesulfonyl Pyrrole-Substituted 3,5-Dihydroxy-6-heptenoates, a Novel Series of HMG-CoA Reductase Inhibitors" Bioorganic & Medicinal Chemistry 5(2):437-444 (1997)

Examiner <u>V. Bulasubramanian</u>	Date Considered <u>9/30/07</u>
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION (Use)  
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**PTO Form 1449**  
**January 26, 2007**

**Application No.**  
**10/524,235**

**Applicants: John HORBURY *et al.***

**Filing Date: August 18, 2005**

**Group Art Unit: 1754**

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		Document No.	Date	Country	Class	Sub-Class	Translation
VIS	1.	WO 2006/079611	August 3, 2006	WIPO			

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Examiner

V Balusubram

Date Considered

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